

further amended such of dependent claims 3 – 11, so as to depend, directly or indirectly, from now-independent claim 2. Accordingly, in view of the Examiner's prior indication of allowability of claim 2, Applicant respectfully submits that the Examiner's basis for rejection of claim 2 has been overcome, and that claim 2 is now in a *prima facie* condition for allowance. Withdrawal of the rejection of claim 2, and reconsideration and allowance thereof are respectfully solicited. Inasmuch as claims 3 – 11 as amended, merely serve to further define the subject matter of amended claim 2, which itself should be deemed allowable, claims 3 – 11 likewise should be deemed to patentably distinguish over the cited prior art. Withdrawal of the rejections of claims 3 – 11, and reconsideration and allowance thereof are respectfully requested.

Claims 1 and 4 – 11 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Brozake, Jr., U.S. Pat. No. 6,068,139. Applicant respectfully traverses the Examiner's substantive basis for rejection of the claims.

The Brozake, Jr. reference is directed to a retail product display, particularly for display and storage of printed media in planar or roll form. The display rack and cassettes of the Brozake, Jr. reference is fabricated from wood, metal and/or plastic, and is intended for multiple uses as a more or less permanent, if reconfigurable, fixture.

In addition, the Brozake, Jr. reference discloses open-topped and substantially open-fronted trays (or "cartridges" as asserted by the Examiner) that are either: 1) in the form of shallow, transversely extending trays (which are supported by notches in the sidewalls of the outer shell) for supporting greeting cards and the like; or in the form of elongated troughs for receiving and dispensing rolled products, which are

suspended by hooks at the rear edges of their sidewalls and/or tabs extending laterally from the sidewalls and engaging slots near the front edges of the sidewalls of the outer shell. The cited reference fails to teach or suggest "cartridges" that are provided with a top wall, at least one side wall and a bottom wall, with attachment tabs emanating rearwardly from at least two of the top wall, at least one side wall and bottom wall, with a brace member, operably configured to insertingly receive the attachment tabs emanating rearwardly from at least two of the top wall, at least one side wall and bottom wall.

In view of the foregoing, Applicant respectfully submits that claim 1, as amended, patentably distinguishes over the cited Brozake, Jr. reference. Therefore, withdrawal of the rejection of claim 1, and reconsideration and allowance of claim 1, are respectfully solicited.

Applicant has added new dependent claims 12 – 21. Inasmuch as claims 12 – 21 (which reprise the subject matter of original dependent claims 2 – 11) merely serve to further define the subject matter of amended claim 1, which itself should be deemed allowable, consideration and allowance of claims 12 – 21 are respectfully requested.

Applicant has additionally added new independent claim 22, for the Examiner's consideration. Applicant's invention of new claim 22 is a point of purchase display, having the various structural elements as recited, all of which are fabricated solely from one of paper, paperboard, corrugated paperboard, which permit the point of purchase display apparatus to be inexpensive, lightweight, disposable, and easily broken down for recycling, and configured for one-time use. Such a construction, toward such goals,

is neither taught nor suggested by the Brozake, Jr. reference. Indeed, the "permanent" nature of the apparatus of that reference affirmatively teaches against its fabrication from materials such as paper, paperboard or corrugated paperboard. Accordingly, Applicant submits that new independent claim 22 patentably distinguishes over the cited Brozake, Jr. reference, as well as all the other prior art of record. Therefore, consideration and allowance of new claim 22 are respectfully solicited.

Applicant has enclosed herewith payment of \$36.00 for the additional claims over the total claim limit of 20, resulting from the amendments herein.

Applicant has amended the last paragraph of page 19 to delete an internal comment left over during the drafting of the application, not intended to be part of the application text. Applicant submits that the completeness of the disclosure of the application is unaffected by this amendment.

In view of all the foregoing amendments, Applicant respectfully submits that the application as a whole, including claims 1 – 21, is now in a *prima facie* condition for allowance at this time. Reconsideration and passage to allowance of the application are respectfully solicited.

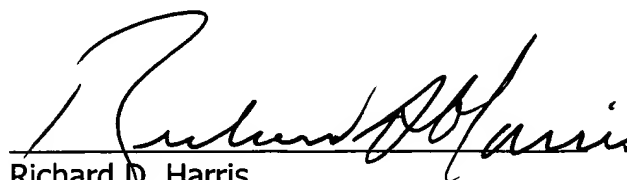
Applicant additionally requests that all future communications regarding this application be sent to Applicant's undersigned attorneys' new address, as indicated herein.

Should anything further be required, a telephone call to the undersigned at (312) 456-8400 is respectfully requested.

Respectfully submitted,

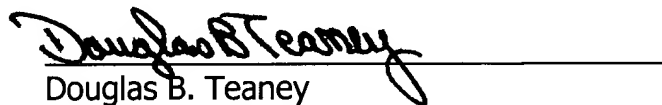
LAW OFFICES OF DICK AND HARRIS

Dated: February 25, 2003

  
Richard D. Harris  
One of Attorneys for Applicant

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on February 26, 2003.

  
Douglas B. Teaney

## IN THE SPECIFICATION AMEND

Please amend page 19, bottom paragraph, as follows:

Top lock 40 is then erected (Step 1 of Fig. 20) and placed atop the center form 32. Tabs 198 and 200 of each branch are then inserted into slots 82 on the sides of the tower shells 38. (Step 2 of Fig. 20) The side panels 42 are attached by folding the thin panels 204 and 206 back upon the center panel 202. Adhesive strips (not shown) will be placed on the sides of thin panels 204 and 206 that will bear against the sides of the towers. Tabs 208 and 210 will be received in suitably located slots in the front edges of the towers 148. (Step 3 of Fig. 20) A center filler 28 is then folded into a tube, and affixed, as by inserting the tab (Fig. 1) into a suitably located slot. Filler 28 is then dropped into the space above the top lock 40. Small articles, such as lug-ons [**(what are these?)**] may be placed in the open center filler 28. (Step 4 of Fig. 20)

IN THE CLAIMS AMEND

1. (Amended) A point of purchase display apparatus for the facilitated display of products, comprising:

at least one cartridge, having an open face, for containing a plurality of products,  
the at least one cartridge having a top wall, at least one side wall and a bottom wall,  
with attachment tabs emanating rearwardly from at least two of the top wall, at least  
one side wall and bottom wall;

at least one self-supporting display shell having a display opening in a face thereof,

the at least one self-supporting display shell being operably configured for enabling positioning of the open face of the at least one cartridge in alignment with at least a portion of the display opening of the at least one self-supporting display shell;  
and

at least one brace member, operably configured for supporting the at least one cartridge within the at least one self-supporting display shell, to place the open face of the at least one cartridge in alignment with at least a portion of the display opening of the at least one self-supporting display shell, the at least one brace member being operably configured to insertingly receive the attachment tabs emanating rearwardly from at least two of the top wall, at least one side wall and bottom wall.

2. (Amended) A point of purchase display apparatus for the facilitated display of products, comprising:

at least one cartridge, having an open face, for containing a plurality of products;

at least one self-supporting display shell having a display opening in a face thereof,

the at least one self-supporting display shell being operably configured for enabling positioning of the open face of the at least one cartridge in alignment with at least a portion of the display opening of the at least one self-supporting display shell;  
and

at least one brace member, operably configured for supporting the at least one cartridge within the at least one self-supporting display shell, to place the open face of the at least one cartridge in alignment with at least a portion of the display opening of the at least one self-supporting display shell; and [The point of purchase display apparatus according to claim 1, further comprising]

means for controlling removal of products from the display, operably configured to substantially preclude the simultaneous removal of more than one product from a single cartridge from the display apparatus.

4. (Amended) The point of purchase display apparatus according to claim [1] 2, wherein the display shell is operably configured to enable a plurality of cartridges to be positioned with their open faces in alignment with portions of the display opening.

6. (Amended) The point of purchase display apparatus according to claim [1] 2, comprising:

a plurality of self-supporting display shells, each display shell being provided with at least one brace member, supporting at least one cartridge.

IN THE CLAIMS ADD

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12. (New) The point of purchase display apparatus according to claim 1, further comprising means for controlling removal of products from the display, operably configured to substantially preclude the simultaneous removal of more than one product from a single cartridge from the display apparatus.

13. (New) The point of purchase display apparatus according to claim 12, wherein the means for controlling removal of products from the display comprises at least one tab member operably emanating from a side edge of the display opening, the at least one tab member being further operably located, relative to the open face of the at least one cartridge, so that not more than one product can pass between an edge of the open face of the at least one cartridge and the at least one tab member, without requiring destructive mutilation of at least some portion of the display apparatus.

14. (New) The point of purchase display apparatus according to claim 1, wherein the display shell is operably configured to enable a plurality of cartridges to be positioned with their open faces in alignment with portions of the display opening.

15. (New) The point of purchase display apparatus according to claim 14, wherein the brace member is operably configured for supporting the plurality of cartridges with their open faces in alignment with portions of the display opening.

16. (New) The point of purchase display apparatus according to claim 1, comprising:  
a plurality of self-supporting display shells, each display shell being provided with at least one brace member, supporting at least one cartridge.

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cont



17. (New) The point of purchase display apparatus according to claim 16, wherein each of the plurality of self-supporting display shells are substantially identical in configuration.

18. (New) The point of purchase display apparatus according to claim 16, further comprising means for modularly connecting the plurality of self-supporting display shells.

19. (New) The point of purchase display apparatus according to claim 17, wherein the means for modularly connecting the plurality of self-supporting display shells comprises:

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a bottom form structure, operably configured to receive and stabilize bottom ends of at least two self-supporting display shells;

a standing form operably configured to engage and connect at least two self-supporting display shells to one another.

20. (New) The point of purchase display apparatus according to claim 19, wherein the means for modularly connecting the plurality of self-supporting display shells further comprises:

a lock member operably configured to engage and connect at least two self-supporting display shells to one another.

21. (New) The point of purchase display apparatus according to claim 16, further comprising means for facilitating transportation of the plurality of self-supporting display shells, each display shell being provided with at least one brace member, supporting at least one cartridge, said means for facilitating transportation comprising:

a bottom cap, operably configured to receive and stabilize bottom ends of at least two self-supporting display shells;

a top filler member, operably configured to rest atop ends of at least two self-supporting display shells;

a top cap, operably configured to receive and stabilize the top filler member, and, in turn, top ends of at least two self-supporting display shells; and

a shroud, operably configured to surround at least two self-supporting display shells;

the bottom cap being further operably configured to receive and restrain a bottom edge region of the shroud,

the top cap being further operably configured to receive and restrain a top edge region of the shroud.

22. (New) A point of purchase display apparatus for the facilitated display of products, comprising:

at least one cartridge, having an open face, for containing a plurality of products;

at least one self-supporting display shell having a display opening in a face thereof,

the at least one self-supporting display shell being operably configured for enabling positioning of the open face of the at least one cartridge in alignment with at least a portion of the display opening of the at least one self-supporting display shell; and

at least one brace member, operably configured for supporting the at least one cartridge within the at least one self-supporting display shell, to place the open face of the at least one cartridge in alignment with at least a portion of the display opening of the at least one self-supporting display shell;

all of which are fabricated primarily from at least one of a paper, a paperboard, and a corrugated paperboard material.

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